

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION-IN-PART
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



21839

Sir:

This is a request for filing a continuation-in-part application under 37 C.F.R. § 1.53(b) of pending Application No. 60/399,383 filed on July 31, 2002, for CORN ROOT PREFERENTIAL PROMOTERS AND USES THEREOF, by the following named inventor(s):

- | | | |
|-----|-----------|---------------------------|
| (a) | Full Name | <u>Greet VANDERKIMPEN</u> |
| (b) | Full Name | <u>Gerben VAN ELDIK</u> |
| (c) | Full Name | <u>Frank MEULEWAETER</u> |



- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☒ Applicant(s) suggests the inclusion of Figure 6 for inclusion on the front page of the patent application publication and/or patent.
- ☐ Applicant(s) requests that the published application include the following assignment information: .
1. ☒ Enclosed is/are 6 sheet(s) of drawings.
 2. ☐ Enclosed is a certified copy of the priority document.
 3. ☐ Enclosed is an Assignment document.
 4. ☒ An ☒ executed ☐ unexecuted declaration of the inventor(s)
 ☐ also is enclosed ☒ will follow.
 5. ☐ Small entity status is hereby claimed.
 6. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	18	MINUS 20 =	---	× \$18.00 (1202) =	
Independent Claims	4	MINUS 3 =	1	× \$84.00 (1201) =	\$84.00
If multiple dependent claims are presented, add \$280.00 (1203)					
Total Application Fee					\$834.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of <u>\$40.00 (8021)</u> if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					\$834.00

7. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
8. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
9. ☒ A check in the amount of \$ 834.00 is enclosed for the fee due.
10. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
11. ☒ Please amend the specification by inserting before the first line the sentence (an executed declaration referencing this amendment is enclosed or will follow):
- ☒ --This application is a continuation-in-part of Application No. 60/399,383, filed on July 31, 2002, the entire contents of which are hereby incorporated by reference.--.
- ☐ --This application is a continuation-in-part of International Application No. __, filed on __, the entire contents of which are hereby incorporated by reference.--.
12. ☒ New drawings are enclosed.
13. ☐ Priority of Application No. __ filed on __ in __ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application

Request for Filing Continuation-in-Part Application
of Application No. 60/399,383
Attorney's Docket No. 021565-119
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- ☐ is enclosed
☐ was filed on _ in prior Application No. __, filed on __, and acknowledged by
the Examiner on _ in Paper No. _
☐ has not yet been filed.
14. ☐ A preliminary amendment is enclosed.
15. ☐ An Information Disclosure Statement is enclosed.
16. ☒ A General Authorization for Payment of Fees and Petitions for Extensions of Time is
enclosed.
17. ☒ Also enclosed Application data sheet and Sequence Listing on diskette.
18. ☐ The power of attorney in the prior application is to _.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power
in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney _.
- d. ☐ Address all future communications to: (May only be completed by
applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: July 22, 2003

By: Malcolm K. McGowan
Malcolm K. McGowan, Ph.D.
Registration No. 39,300

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Greet VANDERKIMPEN et al.)	Group Art Unit: Unknown
)	
Application No.: TBA (CIP of 60/399,383))	Examiner: Unknown
)	
Filed: July 21, 2003)	Confirmation No.: Unknown
)	
For: CORN ROOT PREFERENTIAL)	
PROMOTERS AND USES THEREOF)	

**GENERAL AUTHORIZATION FOR
PETITIONS FOR EXTENSIONS OF TIME AND PAYMENT OF FEES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

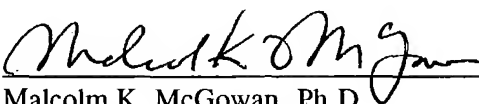
In accordance with 37 C.F.R. §1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 22, 2003

By: 
Malcolm K. McGowan, Ph.D.
Registration No. 39,300

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